EXHIBIT A

Case: 2:22-cv-04394-MHW-CMV Doc #: 1-2 Filed: 12/16/22 Page: 2 of 14, PAGEID #: 17

22CV-11-8093

CASE NUMBER

CC: ML+B Karrino, Cothony, Bartolomes 12/1/2022 LR

MARYELLEN O'SHAUGHNESSY

CLERK OF THE FRANKLIN COUNTY COMMON PLEAS COURT, COLUMBUS, OHIO 43215 CIVIL DIVISION

HARRY CROUTHERS 494 SOUTH HAMILTON ROAD APT 2 COLUMBUS, OH 43213,

PLAINTIFF,

DEFENDANT.

VS.

PHILIPS

6501 LIVING PLACE PITTSBURGH, PA 15206,

**** SUMMONS ****

11/17/22

TO THE FOLLOWING NAMED DEFENDANT:

RESPIRONICS INC 1001 MURRY RIDGE LANE MURRYSVILLE, PA 15668

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN FRANKLIN COUNTY COURT OF COMMON PLEAS, FRANKLIN COUNTY HALL OF JUSTICE, COLUMBUS, OHIO,

HARRY CROUTHERS 494 SOUTH HAMILTON ROAD

APT 2

COLUMBUS, OH 43213,

PLAINTIFF (S).

A COPY OF THE COMPLAINT IS ATTACHED HERETO. THE NAME AND ADDRESS OF THE PLAINTIFF'S ATTORNEY IS:

> TERRY V. HUMMEL ATTORNEY AT LAW SUITE 100 115 WEST MAIN STREET

COLUMBUS, OH 43215

YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON THE PLAINTIFF'S ATTORNEY, OR UPON THE PLAINTIFF, IF HE HAS NO ATTORNEY OF RECORD, A COPY OF AN ANSWER TO THE COMPLAINT WITHIN TWENTY-EIGHT DAYS AFTER THE SERVICE OF THIS SUMMONS ON YOU, EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER MUST BE FILED WITH THE COURT WITHIN THREE DAYS AFTER THE SERVICE OF A COPY OF THE ANSWER ON THE PLAINTIFF'S ATTORNEY.

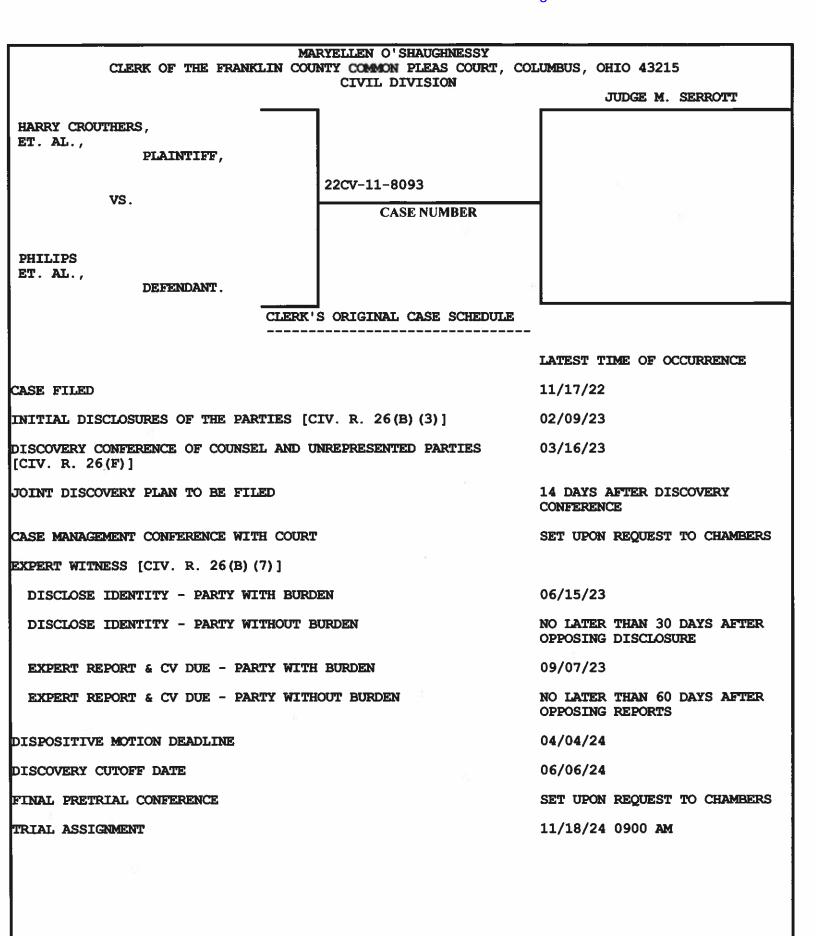
IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

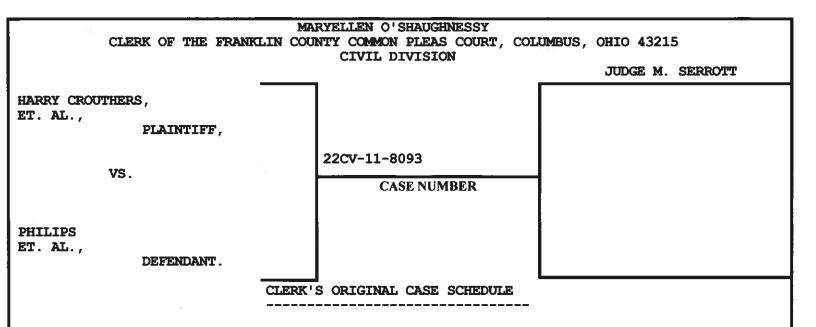
MARYELLEN O'SHAUGHNESSY CLERK OF THE COMMON PLEAS FRANKLIN COUNTY, OHIO

BY: JANIE STANLEY, DEPUTY CLERK

(CIV370-S03)

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NOTICE TO ALL PARTIES

Attorneys and unrepresented parties must become familiar with the 2020 amendments to the Ohio Rules of Civil Procedure and this court's Local Rules.

The Original Case Schedule is an important tool to assist the parties and the court in meeting case management guidelines in the Ohio Superintendence Rules, and otherwise achieving timely disposition of civil cases notwithstanding the priority given to criminal cases under Crim. R. 50.

Judicial Officers of this court may modify the Original Case Schedule following receipt of the parties' Joint Discovery Plan, or for good cause at any other point in the case. However, it is essential for attorneys and unrepresented parties to pursue their cases diligently from the outset. Deadlines set in the Rules and in this Original Case Schedule are normally binding, not merely aspirational.

BY ORDER OF THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO

MARYELLEN O'SHAUGHNESSY, CLERK

(CIV363-S10)

MARYELLEN O'SHAUGHNESSY

FRANKLIN COUNTY CLERK OF COURTS GENERAL DIVISION, COURT OF COMMON PLEAS

CASE NUMBER: 22CV008093

TO THE CLERK OF COURTS, YOU ARE INSTRUCTED TO MAKE: CERTIFIED MAIL

DOCUMENTS TO BE SERVED: COMPLAINT

PROPOSED DOCUMENTS TO BE SERVED:

CASE TITLE: HARRY CROUTHERS -VS- PHILIPS ET AL

UPON:

RESPIRONICS INC 1001 MURRY RIDGE LANE MURRYSVILLE, PA 15668

PHILIPS 6501 LIVING PLACE PITTSBURGH, PA 15206

JUVENILE CITATIONS ONLY:

HEARING TYPE:

Date already scheduled at : Courtroom:

Electronically Requested by: TERRY V HUMMEL

Attorney for:

Case: 2:22-cv-04394-MHW-CMV Doc #: 1-2 Filed: 12/16/22 Page: 9 of 14 PAGEID #: 24

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IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO CIVIL DIVISION

HARRY CROUTHERS 494 SOUTH HAMILTON ROAD, APT. 2 COLUMBUS, OHIO 43213

PLAINTIFF,	
· · · · · · · · · · · · · · · · · · ·	CASE NO.
VS.	JUDGE
PHILIPS	JUDGE
6501 LIVING PLACE	

AND

RESPIRONICS, INC. 1001 MURRY RIDGE LANE MURRYSVILLE, PA 15668

PITTSBURGH, PA 15206

DEFENDANTS.

COMPLAINT

- 1. On or before December 2020, Plaintiff, Harry Couthers, was prescribed, purchased and regularly used a C-PAP machine named "Dream Station" designed, manufactured, distributed and sold by Defendants, Philips, and Respironics, Inc. in the United States to assist him with nighttime breathing, but which caused him to develop acute myeloid leukemia, resulting in the damages, injuries and consequences as hereinafter set forth.
- On or after December 2020, Plaintiff, Harry Crouthers, discovered that C-PAP
 machines designed and manufactured by Defendants were defective and can cause various
 illnesses, including cancers and leukemia.
- 3. Defendants, Philips and Respironics, Inc., negligently and in violation of Ohio Product Liability Statute, R.C. 2307.71, et seq., manufactured, distributed and sold the C-PAP machine:

- a. that was defective in manufacture or construction as described in section 2307.74 of the Revised Code;
- b. that was defective in design or formulation as described in section 2307.75 of the Revised Code;
- c. that was defective due to inadequate warning or instruction as described in section 2307.76 of the Revised Code;
- d. that was defective because it did not conform to a representation made by its manufacturer as described in section 2307.77 of the Revised Code.
- 4. As a direct and proximate result of Defendants" negligence and violations of the Ohio Product Liability Statute, R.C. 2307.71, et seq., Plaintiff, Harry Crouthers, has:
 - a. sustained severe injuries to his lungs, immune system, his blood vessels
 and bodily organs;
 - suffered and will continue to suffer physical pain, mental anguish, and emotional distress;
 - required and will continue to require medical care, attention, and treatment,, with resulting expenses;
 - d. sustained and will continue to sustain a loss of earnings and earnings capacity,
 - e. suffered and will continue to suffer impairment in the use of the affected areas of his body and a reduction in the quality and enjoyment of his life; Said damages and injuries are permanent.

WHEREFORE, Plaintiff, Harry Crouthers, now demands judgment against Defendants,
Philips and Respironics, Inc., in an amount in excess of Twenty-Five Thousand Dollars

(\$25,000.00) as compensatory damages, in addition to interest, and his costs incurred herein.

Respectfully submitted,

Terry V. Hummel (0025567)

Megan Hayden (0093416)

SCOTT W. SCHIFF & ASSOC. CO., LPA

115 West Main St., Suite 100

Columbus, Ohio 43215

Tel: 614.621.8888 Fax: 614.621.8814

thummel@schifflegal.com mhayden@schifflegal.com

Attorney for Plaintiff

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MARYELLEN O'SHAUGHNESSY FRANKLIN COUNTY CLERK OF COURTS 373 SOUTH HIGH STREET COLUMBUS, OHIO 43215-4579

CERTIFIED MAIL

USPS CERTIFIED MAIL



9214 8901 1952 2807 8091 08

22CV-11-8093 B ADDR: 1 25567 TERRY V. HUMMEL

FORWARDING SERVICE REQUESTED

CROUT

RESPIRONICS INC 1001 MURRY RIDGE LANE MURRYSVILLE, PA 15668



